

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.
19460

In Re Application Of: **Christopher Milton Mathew Franco, et al.**

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/563,637	January 6, 2006	Unassigned	23389	Unassigned	4137

Title:

**A METHOD AND AGENTS FOR IMPROVING PLANT PRODUCTIVITY INVOLVING
ENDOPHYTIC ACTINOMYCETES AND METABOLITES THEREOF**

Address to:

**Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

37 CFR 1.97(b)

1. ☒ The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

37 CFR 1.97(c)

2. ☐ The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:
- ☐ the statement specified in 37 CFR 1.97(e);
- OR**
- ☐ the fee set forth in 37 CFR 1.17(p).

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Payment of Fee

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

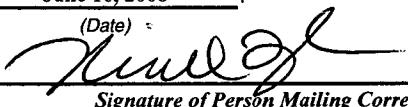
- ☐ A check in the amount of _____ is attached.
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- ☐ Payment by credit card. Form PTO-2038 is attached.

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June 16, 2006 (Date)
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Xiaochun Zhu Typed or Printed Name of Person Mailing Certificate

*This certificate may only be used if paying by deposit account.


Signature

Dated: June 16, 2006

Xiaochun Zhu
Registration No. 56,311
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400 Garden City Plaza, Suite 300
Garden City, New York 11530
516-742-4343

CC:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Christopher Milton Mathew Franco, et al. **Examiner:** Unassigned
Serial No.: 10/563,637 **Art Unit:** Unassigned
Filed: January 6, 2006 **Docket:** 19460
For: A METHOD AND AGENTS FOR **Dated:** June 16, 2006
IMPROVING PLANT PRODUCTIVITY
INVOLVING ENDOPHYTIC ACTINOMYCETES
AND METABOLITES THEREOF

Confirmation No: 4137

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with 37 C.F.R. §§1.97 and 1.98, it is requested that the following references, which are also listed on the attached Form PTO-1449, be made of record in the above-identified case.

1. Sardi P. et al., "Isolation of Endophytic *Streptomyces* Strains from Surface-Sterilized Roots", *Applied and Environmental Microbiology*, 58(8):2691-2693 (1992);
2. Salleh A., "News in Science-Antibiotics for Wheat",
<http://www.abc.net.au/science/news/stories/s351442.htm> (2001);
3. El-Shanshoury A.R., "Growth Promotion of Wheat Seedlings by *Streptomyces Atroolivaceus*", *J. Agronomy & Crop Science*, 163:109-114 (1989);

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: June 16, 2006


Xiaochun Zhu

4. Coombs J.T. et al., "Isolation and Identification of Actinobacteria from Surface-Sterilized Wheat Roots", *Applied and Environmental Microbiology*, 69(9):5603-5608 (2003); and
5. Coombs J.T. et al., "Visualization of an Endophytic *Streptomyces* Species in Wheat Seed", *Applied and Environmental Microbiology*, 59(7):4260-4262 (2003).

The references were cited in a Search Report dated September 30, 2004 received from the Australian Patent Office. Applicants are submitting a copy of the above-cited references. A copy of the Search Report was submitted by Applicants on January 6, 2006. The relevance of the above-identified references has been described in the Search Report.

Inasmuch as this Information Disclosure Statement is being submitted in accordance with the schedule set out in 37 C.F.R. § 1.97(b), no statement or fee is required.

Respectfully submitted,



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XZ:dg

**LIST OF PRIOR ART
CITED BY APPLICANT***(Use several sheets if necessary)***Atty. Docket No. (Optional)**

19460

Application Number

10/563,637

Applicant(s)

Christopher Milton Mathew Franco, et al.

Filing Date

January 6, 2006

Group Art Unit

Unassigned

FOREIGN PATENT DOCUMENTS

	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO

OTHER DOCUMENTS *(Including Author, Title, Date, Pertinent Pages, Etc.)*

/AG/		Sardi P. et al., "Isolation of Endophytic <i>Streptomyces</i> Strains from Surface-Sterilized Roots", <i>Applied and Environmental Microbiology</i> , 58(8):2691-2693 (1992)
/AG/		Salleh A., "News in Science-Antibiotics for Wheat", http://www.abc.net.au/science/news/stories/s351442.htm (2001)
/AG/		El-Shanshoury A.R., "Growth Promotion of Wheat Seedlings by <i>Streptomyces Atroolivaceus</i> ", <i>J. Agronomy & Crop Science</i> , 163:109-114 (1989)
/AG/		Coombs J.T. et al., "Isolation and Identification of Actinobacteria from Surface-Sterilized Wheat Roots", <i>Applied and Environmental Microbiology</i> , 69(9):5603-5608 (2003)
/AG/		Coombs J.T. et al., "Visualization of an Endophytic <i>Streptomyces</i> Species in Wheat Seed", <i>Applied and Environmental Microbiology</i> , 59(7):4260-4262 (2003)

EXAMINER

/Anish Gupta/

DATE CONSIDERED

03/16/2009

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.